

*Koeltz, J*  
*Part I*

<b>USDS SDNY</b>
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At the United States District Court  
For the Southern District of New York  
on the 23 day of May, 2012

PRESENT:

*Gopal Burgher*

-----X  
GOPAL BURGHER and SCOTT JAFFE,

Plaintiffs,

ORDER TO SHOW CAUSE  
WITH TEMPORARY  
RESTRAINING ORDER

-against-

Ind. No.: 12cv4042 (WHP)

B. SETH BRYANT,

Defendant.

-----X  
Upon reading and filing the complaint, affidavit of plaintiff, Gopal Burgher, sworn to on May 22, 2012, the affidavit of plaintiff, Scott Jaffe, sworn to on May 22, 2012, the affirmation of good faith of Joshua Fingold, dated May 22, 2012, and upon all of the proceedings in this action, and,

On motion of Joshua E. Fingold (JF0181), attorney for plaintiffs,

*before Judge Pauley*

Let defendant B. Seth Bryant show cause at IAS ~~Room~~ <sup>see Pearl</sup> ~~14~~ <sup>(14)</sup> of this Court to be held in and for the County of New York, at the Courthouse, ~~60 Centre~~ <sup>see Pearl</sup> Street, New York, New York, on the 4<sup>th</sup> day of June 2012, at 2:00 p.m. - in the afternoon of that day, or as soon thereafter as counsel can be heard, why a preliminary injunction, pursuant to ~~CPLR §6301~~ <sup>Feed. Rule 65 P. 65</sup>, should not be granted directing defendant B. Seth Bryant to restore the status quo, and confirming plaintiffs in

the positions they held in the firm Bryant Burgher Jaffe LLP prior to February 27, 2012, at which time defendant B. Seth Bryant sought to remove plaintiff Scott Jaffe as a partner in the firm and plaintiff Gopal Burgher as a member of the firm's Executive Committee and Risk Management Partner of the Firm. and it is further

**ORDERED**, that pending the hearing of this motion, defendant B. Seth Bryant is restrained and prohibited from:

- 76K
- 1) Preventing, blocking or otherwise interfering with access of plaintiffs to the premises of Bryant Burgher Jaffe LLP;
  - 2) Preventing, blocking or otherwise impeding the ability of plaintiffs from accessing the telephone, facsimile, electronic mail or other facilities of Bryant Burgher Jaffe LLP;
  - 3) Preventing, blocking or otherwise impeding the ability of plaintiffs from accessing the bank accounts of Bryant Burgher Jaffe LLP;
  - 4) Using any funds of Bryant Burgher Jaffe LLP to pay for the legal fees of B. Seth Bryant in defending this action;
  - 5) Modifying the internet web site of Bryant Burgher Jaffe LLP and directing defendant B. Seth Bryant to restore the internet web site of Bryant Burgher Jaffe LLP, to the status quo prior to February 27, 2012, if any change has been made;
  - 6) Changing the name of Bryant Burgher Jaffe LLP, or otherwise indicating to clients of the firm or other parties that plaintiffs are no longer affiliated with the firm

**ORDERED** that defendant serve papers in opposition, if any, on plaintiffs' attorney so as to be received on or before the close of business on the 30 day of May, 2012. *Reply by 5/30/12*

~~ORDERED security in the amount of \$\_\_\_\_\_ must be provided by June 1, 2013.~~

U.S. A. J.